

RFB/SMM/SPD

05-0152

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CORRIE CUNNINGHAM, as Special)	
Administrator of the Estate of)	
HANSEL CUNNINGHAM, III, Deceased,)	
)	
Plaintiff,)	
v.)	No. 07 C 6927
)	Judge Aspen
)	
TASER INTERNATIONAL, INC., a corporation,)	
)	
Defendant.)	

PLAINTIFF'S MOTION FOR MINOR MODIFICATION OF BRIEFING SCHEDULE

Plaintiff, CORRIE CUNNINGHAM, as Special Administrator of the Estate of Hansel Cunningham, III, Deceased, through her attorneys CLIFFORD LAW OFFICES, P.C. moves this Honorable Court for a Minor Modification of a previously entered briefing schedule, and in support thereof states as follows:

The instant case contains allegations of negligence and strict product liability arising out of the use of a conducted energy device by police officers which resulted in the death of Hansel Cunningham.

On November 19, 2007, Plaintiff filed a Complaint in the Circuit Court of Cook County against Defendant Taser International, Inc. Subsequently Taser International, Inc. filed a removal notice and removed this action to the United States District Court for the Northern District of Illinois, Eastern Division. Thereafter Plaintiff filed a Motion to Remand the case to Illinois State Court since there is a pending State Court action arising out of the same occurrence which is the subject of the instant claim against Taser International, Inc.

This court previously set a briefing schedule pursuant to the order of January 2, 2008, and Defendant Taser International, Inc. has filed a response to Plaintiff's motion to remand.

Pursuant to the court's prior order of January 2, 2008, Plaintiff was to have filed a reply by January 18, 2008. Due to an inadvertent docketing error by Plaintiff's Counsel's clerical staff, that date was not properly docketed. Plaintiff respectfully asks this court for a brief extension until Tuesday January 22, 2008, in order to file a reply. Plaintiff has a meritorious reply, and the brief extension will not materially prejudice the Defendant, and will permit full consideration of all issues.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court modify the aforesaid briefing schedule, permitting Plaintiff until January 22, 2008, to file her reply to Defendant's response in opposition to Plaintiff's motion to remand this case to Illinois State Court.

s/Richard F. Burke, Jr.

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